

Form B18

**United States Bankruptcy Court**

District of South Dakota

**In re:**

**Joseph nmn Figueora  
Sammie Alva Figueora**

**Case Number 08-50154**

**Chapter 7**

**ORDER DISCHARGING DEBTOR(S)**

It appearing Debtor(s) is(are) entitled to a discharge,

IT IS HEREBY ORDERED that Debtor(s) is(are) granted a discharge under 11 U.S.C. § 727.

So ordered on August 26, 2008 .

BY THE COURT:

s/ Charles L. Nail, Jr.  
United States Bankruptcy Judge

**SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.**

## **EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE**

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

### **Collection of Discharged Debts Prohibited**

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property:]* [There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

### **Debts That Are Discharged**

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

### **Debts That Are Not Discharged.**

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts incurred to pay nondischargeable taxes;
- c. Debts that are domestic support obligations;
- d. Debts for most student loans;
- e. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle, vessel, or aircraft while intoxicated;
- g. Some debts which were not properly listed by the debtor;
- h. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- i. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.
- j. Debts owed to certain pension, profit sharing, stock bonus, other retirement plans, or the Thrift Savings Plan for federal employees for certain types of loans from these plans.

**This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.**

Bankruptcy Noticing Center  
2525 Network Place, 3rd Floor  
Herndon, Virginia 20171-3514

# CERTIFICATE OF SERVICE

District/off: 0869-5  
Case: 08-50154

User: bdool  
Form ID: bl8

Page 1 of 1  
Total Served: 13

Date Rcvd: Aug 26, 2008

The following entities were served by first class mail on Aug 28, 2008.

db +Joseph mn Figueora, 802 Custer Street, Belle Fourche, SD 57717-1332  
db +Sammie Alva Figueora, 802 Custer Street, Belle Fourche, SD 57717-1332  
878431 Bank of America, PO Box 15027, Wilmington, DE 19850-5027  
878433 Bank of America, PO Box 37271, Baltimore, MD 21297-3271  
878432 Bank of America, P. O. Box 17309, Baltimore, MD 21297-1309  
878435 Credit Card Center, PO Box 688940, Des Moines, IA 50368-8940  
878436 GE Money Bank, Attn: Bankruptcy Dept, PO Box 10314, Roswell, GA 30076  
878437 +Shell Card Center, PO Box 689151, Des Moines, IA 50368-9151  
878439 +Wells Fargo Bank, PO Box 5708, Springfield, OH 45501-5708  
878440 +Wells Fargo Card Services, PO Box 6412, Carol Stream, IL 60197-6412  
878441 +Wells Fargo Financial Bank, PO Box 98751, Las Vegas, NV 89193-8751

The following entities were served by electronic transmission on Aug 27, 2008.

878431 EDI: BANKAMER2.COM Aug 26 2008 21:33:00 Bank of America, PO Box 15027,  
Wilmington, DE 19850-5027  
878433 EDI: BANKAMER2.COM Aug 26 2008 21:33:00 Bank of America, PO Box 37271,  
Baltimore, MD 21297-3271  
878432 EDI: BANKAMER2.COM Aug 26 2008 21:33:00 Bank of America, P. O. Box 17309,  
Baltimore, MD 21297-1309  
878434 EDI: CHASE.COM Aug 26 2008 21:33:00 Card Services, PO Box 15049,  
Wilmington, DE 19850-5049  
878438 EDI: PROVID.COM Aug 26 2008 21:33:00 Washington Mutual Card Services, PO Box 660487,  
Dallas, TX 75266-0487  
878439 +EDI: WFFC.COM Aug 26 2008 21:33:00 Wells Fargo Bank, PO Box 5708,  
Springfield, OH 45501-5708  
878440 +EDI: WFFC.COM Aug 26 2008 21:33:00 Wells Fargo Card Services, PO Box 6412,  
Carol Stream, IL 60197-6412  
878441 +EDI: WFFC.COM Aug 26 2008 21:33:00 Wells Fargo Financial Bank, PO Box 98751,  
Las Vegas, NV 89193-8751

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 28, 2008

Signature:

